

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

William Francis McCulloch

Serial No: Not assigned

Filed: September 27, 2006

For: Railway Rail Handling Apparatus and Method

Art Unit: Not assigned

Examiner: Not assigned

CERTIFICATE OF ELECTRONIC TRANSMISSION

Date of Transmission: September 27, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that

- a copy of a letter of transmittal
- a copy of an Application Data Sheet
- authorization to charge Deposit Account in amount of \$ 1540.00 as filing fee, search fee and examination fee
- patent application (18 page(s) of specification; 49 claim(s); 1 page(s) of abstract)
- 5 sheet(s) of formal drawings
- Preliminary Amendment
- Information Disclosure Statement with 5 references

are being transmitted via electronic filing on the date indicated above to the:

Commissioner for Patents, USPTO

Date: September 27, 2006

Hogan & Hartson, LLP
1999 Avenue of the Stars, Suite 1400
Los Angeles, California 90067
Telephone: 310-785-4600
Facsimile: 310-785-4601

Gary Chernyavsky
Name of person transmitting papers

Signature

FORM PTO-1390 (REV 1-98)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 89334.0001
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NUMBER (if known, see 37 C.F.R. 1.5) Not assigned
INTERNATIONAL APPLICATION NO. PCT/GB2005/001164	INTERNATIONAL FILING DATE 24 March 2005	PRIORITY DATE CLAIMED 27 March 2004		
TITLE OF INVENTION Railway Rail Handling Apparatus and Method				
APPLICANT(S) FOR DO/EO/US William Francis McCullach				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(e)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(e)(4)). <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 				
Items 11. to 16. below concern document(s) or information included:				
<ol style="list-style-type: none"> <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included. <input type="checkbox"/> A FIRST preliminary amendment. <ol style="list-style-type: none"> <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A change of power of attorney and/or address letter. <input checked="" type="checkbox"/> Other items or information: Application Data Sheet 				

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) Not assigned	INTERNATIONAL APPLICATION NUMBER PCT/GB2005/001164	ATTORNEY'S DOCKET NUMBER 89334.0001			
17. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY			
BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):					
Basic National Fee \$300					
National Stage Search Fee \$400					
National Stage Examination Fee \$200					
		TOTAL FEE AMOUNT = \$ 900.00			
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(c)).		\$ 130.00			
CLAIMS	NUMBER FILED	NUMBER ALLOWED	NUMBER EXTRA	RATE	
Total claims	49	20	29	X \$50.00	1450.00
Independent claims	6	3	3	X \$200.00	600.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				X \$360.00	0
SIZE FEE <u>33</u> (TOTAL PAGES OF SPEC AND DRAWINGS TOGETHER)		\$250 for each additional 50 sheets		X \$250.00	0
				TOTAL OF ABOVE CALCULATIONS =	3080.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 C.F.R. § 1.27. The fees indicated above are reduced by 1/2.					1540.00
				SUBTOTAL =	1540.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).		+		\$ 0	
				TOTAL NATIONAL FEE =	1540.00
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property		+		\$	
				TOTAL FEES ENCLOSED =	1540.00
\$				Amt. Refunded	\$
				Amt. charged	
<p>a. <input type="checkbox"/> Checks in the amounts of _____ and _____ to cover the above fees are enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 50-1314 in the amount of <u>1540.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1314. A duplicate copy of this sheet is enclosed.</p>					
NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
<input checked="" type="checkbox"/> Customer Number <u>000026021</u> →					
 SIGNATURE Wei-ning Yang REG.NO. 38,690 Date: September 27, 2006					
HOGAN & HARTSON L.L.P. 1999 Avenue of the Stars, Suite 1400 Los Angeles, California 90067 Phone: 310-785-4600 Fax: 310-785-4601					

Transmittal Letter to the United States Designated Office (DO/US)—Entry Into National Stage under 35 U.S.C. 371—PTO 1390 [13-7]